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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,868	01/19/2001	Jon Karl Lewis	10004107-1	5356

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
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EXAMINER

FUREMAN, JARED

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/765,868

Applicant(s)

LEWIS, JON KARL

Examiner

Jared J. Fureman

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/12/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-12 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-12 and 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Receipt is acknowledged of the RCE and the amendment, filed on 8/12/2003, which have been entered in the file. Claims 9-12 and 17-20 are pending.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/12/2003 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 9, 10, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berson (US 5,598,477, previously cited) in view of Al-Sheikh (US 6,137,895, previously cited).

Berson teaches a method of generating a ticket (22), and a ticket generating apparatus for use with a network (the network indicated by the arrows connecting the devices shown in figure 1), comprising: sending data corresponding to a person (the purchaser's name, for example) from a network enabled imaging device (input device

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10 and local printing system 20), directly coupled to the network (see figure 1), to a network enabled device (data processing system 12-1) using the network; generating ticket data (purchaser's name, destination, flight, fare, and encrypted validation information in field 22BC, for example) with the network enabled device using the data corresponding to the person; sending the ticket data from the network enabled device to the network enabled imaging device using the network; forming the ticket, including the data corresponding to the person, with the network enabled imaging device using the ticket data; wherein the network enabled device includes a server (the data processing system 12-1 includes a server in that the data processing system functions to send and receive data to and from input device 10, reservation system 16, and systems 18); and the network enabled imaging device includes a printer (20) (see figures 1, 2, column 1 lines 5-10, column 1 line 65 - column 2 line 17, column 2 lines 46-52, column 3 lines 15-60, column 4 line 43 - column 5 lines 57).

Berson fails to specifically teach the data corresponding to a person including data corresponding to an image of the person.

Al-Sheikh teaches a method of generating a ticket (boarding pass 10) and associated apparatus, comprising: collecting data corresponding to an image (such as image 2 or 6, using an imaging device represented by blocks 23 and 24 in figure 2) of a person (the passenger who purchased the boarding pass 12), generating ticket data (the data on the boarding pass 10, as shown in figure 1, using the data corresponding to the image), and forming the ticket, including the image, using the ticket data with an imaging device (not shown, but represented by blocks 23 and 24 in figure 2) (see

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figures 1, 2, column 1 lines 10-15, column 2 lines 5-30, column 2 line 43 - column 3 line 65).

In view of Al-Sheikh's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the method as taught by Berson, the data corresponding to a person including data corresponding to an image of the person, in order to allow rapid and repeated security verification by printing a human recognizable image of the passenger/ticket holder on the ticket (see column 1 lines 10-15 of Al-Sheikh).

4. Claims 11, 12, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berson as modified by Al-Sheikh in view of Rhoads.

The teachings of Berson as modified by Al-Sheikh have been discussed above. Berson also teaches generating the ticket data including integrating text data (conventional information normally found on an airline ticket, for example, see figure 1 and column 4 lines 58 - column 5 line 2).

Berson as modified by Al-Sheikh fails to teach wherein generating the ticket data includes integrating graphics data with the data corresponding to the image; wherein the graphics include a watermark corresponding to identification data associated with the ticket; wherein generating the ticket data includes integrating graphics data and the data corresponding to the image with the text data; the server including a configuration to generate the ticket data including graphics data integrated with the image; the graphics including a watermark corresponding to identification data corresponding to the ticket.

Rhoads teaches a system and method for generating ticket data (see column 1 lines 24-31) including graphics data integrated with an image, the graphics including a watermark corresponding to identification data (an image) (see column 1 lines 24-36, column 5 lines 21-31, and column 6 lines 5-11).

In view of Rhoads' teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the method and apparatus as taught by Berson as modified by Al-Sheikh, wherein generating the ticket data includes integrating graphics data with the data corresponding to the image; wherein the graphics include a watermark corresponding to identification data associated with the ticket; wherein generating the ticket data includes integrating graphics data and the data corresponding to the image with the text data; the server including a configuration to generate the ticket data including graphics data integrated with the image; the graphics including a watermark corresponding to identification data corresponding to the ticket, in order to discourage/detect counterfeiting of security documents, such as tickets (see column 1 lines 24-36 of Rhoads).

Response to Arguments

5. Applicant's arguments with respect to claims 17-20 have been considered but are moot in view of the new ground(s) of rejection. As discussed above, claims 17-20 are now rejected as unpatentable over Berson in view of Al-Sheikh (claims 17 and 18), and Berson as modified by Al-Sheikh in view of Rhoads (claims 19 and 20).
6. Applicant's arguments filed 8/12/2003 (with respect to claims 9-12) have been fully considered but they are not persuasive.

In response to applicant's argument that Berson does not teach or suggest "sending data corresponding to an image of a person from a network enabled imaging device to a network enabled device using a network" (see page 7 of the amendment filed on 8/12/2003), it should be noted that that the rejection relies upon the combination of Berson and Al-Sheikh to meet the limitations of claim 9, not simply Berson alone. Berson teaches using an input device 10 and local printing system 20 to input data related to a person (such as the ticket purchaser's name, for example), send the data to a server (data processing system 12-1 - 12-N), and to print a ticket including the data related to the person upon receipt of ticket data from the server (see figures 1, 2, column 1 lines 5-10, column 1 line 65 - column 2 line 17, column 2 lines 46-52, column 3 lines 15-60, column 4 line 43 - column 5 lines 57, of Berson). Al-Sheikh teaches including data corresponding to an image of a person (such as image 2 or 6) on a ticket (12) (see figures 1, 2, column 1 lines 10-15, column 2 lines 5-30, column 2 line 43 - column 3 line 65, of Al-Sheikh). One of ordinary skill in the art at the time of the invention would have combined the teachings of Al-Sheikh (the ticket data including an image of a person) with the data input in the system as taught by Berson, since Al-Sheikh teaches that printing an image of the person (a passenger, in this case) on the ticket allows rapid and repeated security verification (see column 1 lines 10-15 of Al-Sheikh).

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208

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USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Iki et al (US 2003/0111530A1) and Hawes (US 2003/0150922 A1) both teach systems and methods for generating tickets/boarding passes.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared J. Fureman whose telephone number is (703) 305-0424. The examiner can normally be reached on 7:00 am - 4:30 PM M-T, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

September 22, 2003

Jared J. Fureman
Jared J. Fureman
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